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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 SAMUEL F VALDEZ,

7 Plaintiff,

8 v.

9 DOUGLAS E GOELZ,

10 Defendants.

Case No. C19-5825 RBL

ORDER DIRECTING PLAINTIFF
TO SUBMIT THE PROPOSED
AMENDED COMPLAINT

11 This matter comes before the Court on plaintiff's motion for leave to amend the
12 proposed complaint. Dkt. 8. This matter has been referred to the undersigned
13 Magistrate Judge. *Mathews, Sec'y of H.E.W. v. Weber*, 423 U.S. 261 (1976); 28 U.S.C.
14 § 636(b)(1)(B); Local Rule MJR 4(a)(4).

15 Pursuant to Local Civil Rule 15:

16 [a] party who moves for leave to amend a pleading, or who seeks to
17 amend a pleading by stipulation and order, must attach a copy of the
18 proposed amended pleading as an exhibit to the motion or stipulation. The
19 party must indicate on the proposed amended pleading how it differs from
20 the pleading that it amends by bracketing or striking through the text to be
deleted and underlining or highlighting the text to be added. The proposed
amended pleading must not incorporate by reference any part of the
preceding pleading, including exhibits.

21 Plaintiff has not included a copy of his proposed amended complaint with his
22 motion and, as such, the Court is unable to properly evaluate the merits of plaintiff's
23 request. Accordingly, plaintiff is directed to file the proposed amended complaint.

1 Furthermore, plaintiff is reminded that the proposed amended complaint shall be
2 presented on the form provided by the Court, must be legibly rewritten or retyped in its
3 entirety, it should contain the same case number, and it may not incorporate any part of
4 the original complaint by reference. If the Court grants plaintiff's motion to amend, the
5 amended complaint will act as a complete substitute for the originally filed complaint,
6 and not as a supplement. Thus, in addition to any new claims or defendants plaintiff
7 requests to include – if plaintiff intends to proceed against the defendant currently
8 named in this action he must re-allege his claim(s) against that defendant as well.

9 Any proposed second amended complaint must consist of a short, plain,
10 statement telling the Court: (1) the constitutional right plaintiff believes was violated; (2)
11 the name of the person(s) (defendant(s)) who violated the right; (3) exactly what the
12 individual did or failed to do; (4) how the action or inaction of the individual is connected
13 to the violation of plaintiff's constitutional rights; and (5) what specific injury plaintiff
14 suffered because of the individual's conduct.

1 Based on the foregoing, it is ORDERED:

2 (1) Plaintiff is directed to submit the proposed amended complaint for the Court's
3 review by January 10, 2020;

4 (2) The Clerk is directed to re-note plaintiff's motion (Dkt. 8) for January 10, 2020;
5 and

6 (3) The Clerk shall send a copy of this Order to plaintiff.

7 Dated this 16th day of December, 2019.

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Theresa L. Fricke
11 United States Magistrate Judge
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